

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

ANTHONY BAYAD ,

Plaintiff ,

JOHN CHAMBERS, PATRICIA
RUSSO, ANTHONY
SAVASTANO and CARL
WIESE,
Defendants ,

CIVIL ACTION

CASE NO. 04-cv-10468-GAO

HONORABLE DISTRICT JUDGE O' TOOLE

**DECLARATION OF ANTHONY BAYAD IN SUPPORT OF HIS MOTION
OBJECTING TO THE MAGISTRATE RECOMMENDATION**

I, Anthony Bayad, was put disable from my career that I went to college for it, with 10 years of experience as certify Expert in Data Field with Proteon Inc., and Bay-Networks/Nortel . Tony Savastano is raging a discriminatory vendetta against me by terminating my employment from 3 companies Lucent Technologies, International Network Services, and now Cisco Systems, on the basis of my Moroccan Race, the year of 1997 to 1998 and the year of 2001 to present, also by his good friend from Wang Laboratories John Chambers and Carl Wise, and I declare under the pains and penalties the following:

- A. During my employment with Cisco the year of 2000 and to 2001, my manager Lynn Fraser did not have a Bachelor degree and Cisco was paying for her to get her associate degree at North Eastern University, and she was not a "CCIE" certify, nor any Bayad Co-workers, Bob Tracy, Mike Ippolito, Jeremy Nooman, Brian Low, Tino Delsivia, Curt Given, John Lando, and Ed Maloney.
1. I have a Cisco profile docketed in the complaint, stating that Carl Wiese is the Cisco Vice President of Sales and not what the Defendants and the Magistrate report and recommendation states and I believe it states that he is the Vice President of Product of ... See Dkt.1 Exhibits attached witnessing the forgoing.
2. I was discriminatory terminated from my employment with Lucent Technologies, Internetworking Services, and now Cisco Systems, By Tony Savastano and Carl Wiese.

3. I filed a discrimination law suit against Tony Savastano but the Chairman Henry Schacht with Lucent Technologies Bought the law.(justice miscarriage)
4. Upon my Arrival from San Jose Cisco Corporate during my employment with Cisco Systems, I told my manager Lynn Fraser about the discriminatory conduct executed upon me while employed at Lucent Technologies Florida by her Co-worker Anthony Savastano the Cisco Director of Sales.
5. On about November the year 2000 I was invited by Cisco Europe/Middle East Share Africa group (s) of managers to travel to 3 countries at the expense of Cisco Systems for a Position as Systems Engineer or Systems Manager, to the United Arab Emirate, city Dubai , France City Paris, and England city of London, to meet with the hiring manager(s) whom have already conducted a phone interviews, and upon meeting with them I was provided with an verbal offer (oral contract).
6. On about November 29, 2000 I was advise by Arab Manager (s) that the decision to hire me with them is standing at corporate and that an executive named Savastano place my name on the Cisco-no-Hire-list, stating not to hire me and they provided me an Electronic Excel format, two authentic copies docked before this court as an Excel format and as hard copies.
7. On about November 29, 2000 I wrote a letter accordingly to Cisco open door policy, to the Cisco President John Chambers, to the Cisco Senior Vice President of Sales Rick Justice, and to the Cisco Senior President of Human Resources Kate Dcamp and her director Celia Harper-guerra, complaining about Tony Savastano for his discriminatory action and conduct of intentionally classifying and broadcasting my name in the discriminatory animus the Cisco-No-Hire-List, where all the names of only minorities are listed not to be hired if their names are found in it (the Cisco-No-Hire-List).
8. During my trip to Cisco New York office, I met personally with the Cisco President John Chamber conducting a meeting with a Client" Key Span Energy" to follow up with the letter of complaint that I have initiated in regard to the discriminatory conduct again executed against me by Savastano, and to clear my name from the Cisco-No-Hire-List. The Cisco President John Chambers run away from me.

9. Cisco President John Chambers visited Massachusetts conducting a mandatory town meeting with all the Massachusetts employees, was told by my Manager Lynn Fraser who also attending such meeting, and to depart early from the office of Lexington as it is a mandatory to attend John Chambers' meeting, and I drove with Bob Tracy a Co-worker of mine that I was cross teaching him how to become a knowledgeable engineer in the field of data Networking. During the meeting break, I approached and tried to speak with Defendant John Chambers regarding Tony Savastano racial misconduct, he ran from me as he was very uncomfortable speaking with me and he avoided me once again as he did in Cisco Office of New York.
10. On about May 2001 I was terminated from my employment with Cisco systems in close doors at the present of My Managers and Cisco Corporate Police and a detective police hiding next door waiting for action. I was forced to sign obscured documents against my will, as I remember that the last time I refused to sign corporate documents, I ended up in fountain, in an ambulance with an IV in my arm, locked as mentally retarded in confined prison against my will like an animal, and to this day I am not recovering from that moment that Savastano and Carl Wiese and others have orchestrated and put me thru while employed with them at Lucent Technologies.
11. I was told By Mr. Amado Navas as he submitted his Declaration filed before this court, a Channel Manager with Cisco Tampa Florida Office that Tony Savastano visited his office and told him : "**...Tell that monkey Bayad that his days at Cisco are numbered, my friend Lynn Fraser will take care of him soon, that he and his people need to go back where they came from, ha, ha.....**
12. On the same Month of my termination, May the year of 2001 Bruce Bastian Cisco manager reporting to Rick Justice and Carl Wiese both are Cisco Vice President of Sales, Broadcasted a "**wicked racial Audio**" via Electronic mail within the authority of Cisco's way of mail communications to coworkers with Cisco Systems Inc. The directive audio that was sent, was controlled with "multifarious racial jokes" about Moroccans and minorities similar situated as Bayad's ineptitude to verbalize the expression of the English tongue, clearly ridicule any and all foreign nationals, sound stylish and feebleminded of the of English palaver, and relate to employees getting terminated as Mr. Bayad. The consignment of the multifarious racial jokes audio was titled and state the following : "**hate this "Fucking job", and "I will be fired"; "I have just**

been fired ", and By-By- everybody"; "I need a "P" quick and my Etc...),

13. I was informed of an Email of Correspondence between My Manager Lynn Fraser and Liz Bacchi a recruiter, who was considering me for a position, unfortunately Lynn Fraser provided her with defamatory and discriminatory statement aimed to deny Bayad employment with Cisco or with any other potential companies, and quoted as stated:

" ... I called Lynn directly and she was very heisted on speaking with me. Since I was an internal HR Manager, she felt better. She said that she would not recommended Anthony to come back to Cisco that he worked for her I believe 1 year, That he made commitments for his CCIE but never took the lab or any classes. I think he still stating that he is taking the CCIE."

It is a shame as she knows Cisco has my name in the Cisco No-Hire-List at the request of Savastano and Wiese and in the CCIE-No-Minorities as the Cisco-Equal-Employer-Opportunity the "EEO" intercepting the flow of minorities targeted minorities only as Bayad.

14. During my employment with Cisco defendants failed me intentionally and discriminatory for the 11 times the exam of the Cisco Certification Internetworking Expert making it impossible for me to pass. My manager Lynn Fraser was told not to pay for any of my accrued expenses of the CCIE because she was put in notice by her co-workers Savastano and Wiese of such discriminatory actions by Defendants.
15. I am a Certify Internetworking Expert with Bay Networks/Nortel Networks, I took all the Cisco Classes and all the prerequisite Courses designed with the guarantee of the passing the CCIE exams. I even took a week long course called the CCIE BOOT camp that simulate the exams provided by Cisco Systems, also it guarantee the passing of the CCIE Exam if it is taken, and all the Courses taking for such tasks are filed before this court (Dkt1.) also all my credential.
16. During my employment with Cisco, I was preparing for the CCIE exam on my own time, I was given all the actual exams of the CCIE, and defendants are raging a discriminatory vendetta against me as they did at Lucent Technologies, Internetworking Network Services and now Cisco Systems, in particularly Savastano and Wiese, to never allow me to become a Cisco Certify nor to be

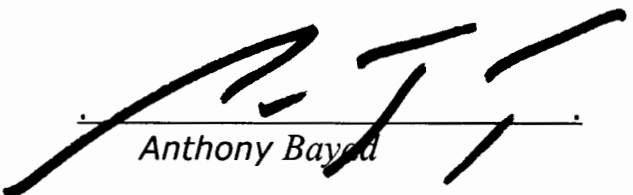
employed to support my family at any time or in the nearest future.

17. On about the year of 2003, I applied for several opening with Cisco, was considered as I was qualified but my Manager Lynn Fraser as she was told by Savastano and Carl Wiese and others at Cisco not to let Bayad back with Cisco nor to let him be hired or employed elsewhere with any of Cisco Partners/Resellers.
20. I founded a company called Global Internetworking Consulting and I become an official Cisco Partner' reseller , again I was denied access to Cisco business and training that is offered to all partners and I was threaten by attorneys to be arrested and deported like my people if found at any Cisco premises or in communication with any of my Cisco Co-workers in Florida , Europe and Africa.
21. I was hired at Cisco because of my experience in the field of Data Networking, after the well known rigorous five interviews process, and personal background check that I was put through by Cisco; I have been through out my entire career an excellent employee Project Engineer with Cisco Systems.
22. During My Employment at Cisco , I continued my outstanding performance by executing well all of my duties, I was rated overall **job performance as an "E"**, which in Cisco performance rating means: Employee is successful; meets or exceeds all key performance expectations, and my review input Summary was quoted as follow :

" Anthony is very dedicated to Customer satisfaction. He works hard and is very conscientious . . . Anthony has been mentoring a former Strata-Com Engineer who is working hard to cross-train on LAN technologies. Anthony has been an integral part of the Engineer's success, who is constantly giving me positive feedback on Anthony' mentoring and reasoning capabilities. . . he is also very impress with Anthony' s technical capabilities. . . Anthony is clearly a Team Player. He is very supportive of his Team, and encourages other's success. . .
23. Before I was Spotted By Defendant Savastano on October 16 the year of 2000, the President of Cisco John Chambers and Chief Executive of Cisco sent a letter to me because of my hard work and my contribution to the company, on August 21, 2000 addressed to my Home address begin with Dear Anthony (formality Mr. Bayad) and signed personally by him (Chambers) and by my Manager also wrote on top of the page with her

hand writing " Congratulation Anthony ! (sign)---Lynn" . and Chambers' s letter to Bayad state the following :

"I want to congratulate you on our 42nd quarter of consecutive revenue and earnings growth which was the strongest quarter and year-over-year growth Your individual contributions have played a significant role in making year 2000 a success. As a result, you (Anthony) will be receiving a Cisco Incentive Plan (CIP) bonus for \$5, 858.05 in recognition of your accomplishments this past year. You (Anthony) will receive your bonus via direct or, if you do not have direct deposit, via mail to your home..."



Anthony Bayad

CERTIFICATE OF SERVICE

IT IS HEREBY CERTIFIED that a true and correct copy of , DECLARATION OF ANTHONY BAYAD IN SUPPORT OF HIS MOTION OBJECTING TO THE MAGISTRATE RECOMMENDATION was furnished via U.S. mail to : Bruce E. Falby, BBO #544143, PIPER RUDNICK LLP, One International Place, Boston MA 02110, this 31 day of May 2005 .